IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION.

NOTICE OF MOTION No.174/2004.
IN
INCOME TAX APPEAL (LODGING) No. 30/2004.

The Commissioner of Income Tax,
Mumbai City-18, Mumbai. ..Appellant.

Vs.

M/s. J.R. Desai & Co. ..Respondent.

Mr Ashok Kotangale,with P.S. Sahadevan, Adv.
for the Appellant.

CORAM:DR.S. RADHAKRISHNAN
AND V.C. DAGA,JJ.
DATED:17th April, 2007.

P.C.:-

1. Heard the learned counsel for the appellant.

2. Perused affidavit in support of the Notice of Motion seeking condonation of 48 days delay. Sufficient cause is made out for condoning delay in filing the above appeal. There is no case of inaction, negligence or want of bona fide on the part of the appellant. Hence, the notice of motion is made absolute in terms of prayer clause (a).

(V.C. DAGA,J.) **(DR.S. RADHAKRISHNAN,J.)**